



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Dentistry
124 Halsey Street, 6th Floor, Newark, NJ 07102

VIA CERTIFIED (RRR) AND REGULAR MAIL

May 5, 2011

Musa P. Macapodi, D.D.S.
C/o Debra M. Marcus, Esq.
155 Morris Avenue, Suite 203
Springfield, NJ 07081

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 6-13-11 DA



PAULA T. DOW
Attorney General

THOMAS R. CALCAGNI
Acting Director

Mailing Address:
P.O. Box 45005
Newark, NJ 07101
(973) 504-6405

Re: Settlement Letter in Lieu of Formal Disciplinary
Proceedings in Complaint # 64237
Patient: R.V.

Dear Dr. Macapodi:

This letter is to advise you that the New Jersey State Board of Dentistry (the "Board") has had an opportunity to complete its review of information concerning the treatment of R.V. Specifically, the information reviewed included:

1. a copy of the patient complaint;
2. a copy of your written response;
3. a copy of the patient's treatment and financial records and x-rays;
4. a copy of a filed Stipulation of Dismissal and Release with regard to a civil litigation matter filed by the patient.
5. other available information about the patient's dental health.

Based upon the review of this matter, it appears to the Board that there may have been repeated instances of negligence or malpractice in that:

1. You permitted the patient to dictate treatment outside of the best standards of practice, and against your professional judgment as a dentist;
2. You did not address the patient's periodontal condition prior to commencing treatment, and there is no periodontal charting noted in the patient's treatment record;
3. The anterior restorations failed because you neglected to establish posterior bite support so as to maintain the proper vertical dimension;
4. You inserted a second set of bridges without addressing the patient's periodontal condition, and with the knowledge that the patient did not follow through on your referral to a periodontist.

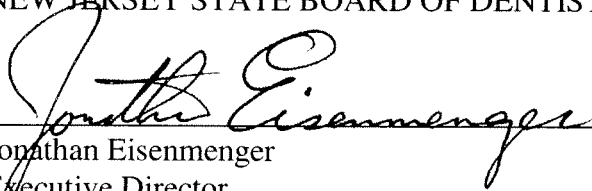
These acts may be sufficient to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, through your agreement to the following:

1. Pay a penalty of \$2,500.00 for repeated acts of negligence and poor record keeping;
2. Complete a total of seven (7) hours of remedial continuing education in crown and bridge within three (3) months of signing this letter. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period.
3. Complete a total of seven (7) hours of remedial continuing education in periodontics within three (3) months of signing this letter. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The penalty may be paid by a check or money order made payable to the "State of New Jersey - Board of Dentistry" and should be submitted to the Board office. The restitution should be paid by a check or money order made payable to the patient and submitted to the Board office. You should be advised that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Nancy Costello Miller, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Yours very truly,
NEW JERSEY STATE BOARD OF DENTISTRY

Jonathan Eisenmenger
Executive Director

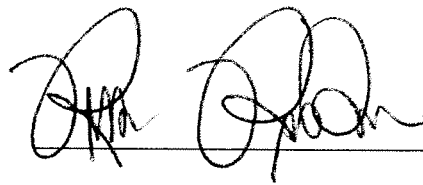
cc: Nancy Costello Miller, Deputy Attorney General

ACKNOWLEDGMENT: I, Musa P. Macapodi, D.D.S., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to comply with the directives noted herein. I will submit to the Board:

1. Pay a penalty of \$2,500.00 for repeated acts of negligence (failure to diagnose and treat periodontal disease for several years) and poor record keeping;
2. Complete a total of seven (7) hours of remedial continuing education in crown and bridge within three (3) months of signing this letter. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period. I have already submitted proof that I have completed a course to fulfill this requirement.
3. Complete a total of seven (7) hours of remedial continuing education in periodontics within three (3) months of signing this letter. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period.

May 31, 2011

Date



Musa P. Macapodi, D.D.S.